

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FILED

MAY 31 2018

U.S. DISTRICT COURT-WVND
CLARKSBURG, WV 26301

US Coalition For Families & children Found BP C
Health Care Justice Foundation, APC
Nabil G. Guirguis MD

Plaintiff,

COMPLAINT

CIVIL ACTION NO. 1:18 CV 125

v.

Huntington Bank
Frank DeMarco
Brad Pustolski
Does 4-75
Defendant(s)

Paragraph 1: Jurisdiction

Paragraph 2, etc. : Short and plain statement of the claim showing that the pleader is entitled to relief.

Final paragraph: Demand for judgment for the relief to which the party deems himself entitled.

05/31/2018
Date

Nabil G. Guirguis
Plaintiff, Pro Se

NOTE: This form is ONLY A GUIDE; do NOT fill it in. Use a plain sheet of 8 ½ x 11 inch paper and set up your complaint in this format. In Paragraph 1, state the reason that you believe the Federal Court has jurisdiction of the matter about which you are filing your complaint. In paragraph 2, state the problem or the thing about which you are complaining and why you think you are entitled to relief or redress. In the last paragraph, state the amount of damages or the kind of relief to which you think you are entitled. Please type or legibly hand write your complaint. Do not use a pencil to hand write your complaint. DOUBLE-SPACE your complaint, and submit the original and two copies to the Clerk of Court, plus one additional copy for each defendant to be served.

the rest of the complaint will be e-faxed
today
Agus



CLARKSBURG POLICE DEPARTMENT UNIFORM STATEMENT FORM

1
14



Incident # 17 M17M-01956

☒ Victim☒ Complainant☐ Witness☐ Suspect☐ Accused

Dr. Nabil G. Gueirguis MD

(Name)

E348509

(OLN or ID#, State)

07/13/17

(Date of Birth)

141-94-8896

(Social Security Number)

1635 Fairmont Ave, Fairmont WV 26554

(Address - City, State, Zip Code)

304-624-6614

(Home/Cell Phone Number)

Locked hand cuffed & leg cuffed

(Physical Location or Address at time of statement)

Ethan J. Walker

(Officer's Name)

07/13/17

(Date and Time)

① called 911 to get clarksburg PD Help in dealing with ongoing crimes by Huntington Bank agent that falls under hate & greed & corruption. there are multiple crime reports against Huntington Agents Mike White, Lisa Borch manager, Mark Lopez & private attorney from Dinsmore. they all involved in criminal conspiracy, fraud, mail fraud, trespassing, breaking into health care buildings, etc. And refused arbitration or receiving payment.

② 911 asked me to stay on the Huntington lobby

③ I was greeted by the Huntington officer & asked if my needs & I clearly told her I wanted to pay for the outstanding loan amount \$19,000 + even though the amount is fraudulent but I told her I will pay that to stop the malicious foreclosure scheduled on the 16th of this month on Sunday I told her, her attorney refused to return call messages, faxes, emails & there was clear attempt of malice to obstruct me from making the payment to unlawfully seize the buildings of 1.5 million dollars.

④ I told her that I called the clarksburg PD to prevent any ambush or harassment by the bank officials.

⑤ the Banker asked me & the lady to take

I believe this statement to be true and correct to the best of my knowledge.

a seat on the hallway.

Signature

Officer Signature



CLARKSBURG POLICE DEPARTMENT UNIFORM STATEMENT FORM



2
14

Incident # ☒ Victim ☒ Complainant ☐ Witness ☐ Suspect ☐ Accused

Nabil G. Gurguis, MD

(Name)

(OLN or ID#, State)

05/16/63

(Date of Birth)

141-94-8996

(Social Security Number)

#635 Fairmont Ave, Fairmont, WV 26554

(Address - City, State, Zip Code)

304-629-6614

(Home/Cell Phone Number)

clarksburg police station

(Physical Location or Address at time of statement)

Ethan J Walker

(Officer's Name)

07/18/17

(Date and Time)

(5) The clarksburg PD came (sgt --- & officer ^{Walker} ---) I explained to them the existing problems, I had all paper work with me to show the new crimes & I have the money with me.

(7) After Huntington learned I had the money the agents changed their position & pulled officer walker on the side (female officer) - & initially she said Dr. Gurguis is not supposed to be here and nothing else, which is a wishful term

(8) I told the sgt & officer walker that this was obstruction to pay & obstruction to cash ~~pay~~ money they retain unlawful in criminal conspiracy. I told them I have open bank account that I want to deposit to & roll money to from the other accounts.

(9) officers sided with the branch manager and asked me to leave a public access place in violation of public accommodations of the state of WV & US constitution. I impeded my rights to state & I asked for any enforceable legal form

I believe this statement to be true and correct to the best of my knowledge.

Signature

Officer Signature



CLARKSBURG POLICE DEPARTMENT UNIFORM STATEMENT FORM

3
14



Incident #

☒ Victim☐ Complainant☐ Witness☐ Suspect☒ Accused

Nabil G. Guirguis MD

(Name)

F348509

(OLN or ID#, State)

05/16/1963

(Date of Birth)

141-94-8998

(Social Security Number)

1035 Fairmont Ave, Fairmont, WV 26554

(Address - City, State, Zip Code)

304-629-6614

(Home/Cell Phone Number)

clarksburg police station

(Physical Location or Address at time of statement)

Ethan J. Walker

(Officer's Name)

07/13/17

(Date and Time)

from the officers to waive my rights to book & resolve the emergency for closure.

(10) The Bank manager stated she will go & talk to the ~~at~~ her attorney and after some time she brought a fax ~~with~~ (long page) that was computerized. to read.

(11) without reading it or allowing me to read & figure out plan of action the officers started becoming aggressive and competent & putting on gloves (picture taken). I objected the way they treated me & ~~the~~ obstructing my rights & I picked up the telephone & called 911 to report their violent behaviour & their intent to make frivolous claim (malicious claims) - the young officer was clearly very high & violent & hateful.

(12) He ordered me to turn off the telephone snatched from me & asked to read ~~the~~ the I said I do but they went with

I believe this statement to be true and correct to the best of my knowledge.

show down of violence, beatings, manipulation and used the most aggressive and dangerous

Signature

Officer Signature

- tools :

- ① multiple aggressive electric shock by officer walker only who showed most hate.
 - ② then officer walker used a taser & used multiple times causing severe pain & suffering.
- most of the violence & police brutality was done by officer walker who seemed to enjoy it & doesn't with no empathy.
 - they called other officers to force me ^{while being contacted by the taser} in hand cuffs & kidnapping & obstructed my legal right to protect myself from malicious prosecution & police brutality by preventing me to reach the sheriff or the state stating that they had no authority over them and they run the show.

- Bank Fraud of drawing trespassing to create confusion, chaos / instead officers ~~to~~ with malicious intent to implicate the victim in troubles. 5
14

I press the following charges against

- Fraud by Huntington
govt when she told
officers victim knew about
the trespassing letter.

Huntington:

- defraud a
trespassing letter
in criminal conspiracy
between the attorney
& Huntington bank in
retaliation to actual
trespassing happened by
Huntington & break in the
facility & dodge locks
apps online report #

- Fraud

- Criminal conspiracy to prevent
payment of back payment
(unlawful)

- Harassment

- malicious prosecution by
showing police officer document
that could be made up by
the attorney &

- Bank Fraud retaining \$5,000 when
the victim has an active personal account

- criminal conspiracy to foreclose
on commercial buildings an act
of hate & greed.

- Discrimination & hate as
violation of anti-discrimination law
in public accommodation

- Bank Fraud to
refuse payment to
stop fore closure

(2) Clarkburg PD:

- conspire with judge to
deny the victim his legal right bail even after he secured one

- police brutality

- malicious prosecution

- Violence

- obstruction of justice

- False statement

- Violation of WV & US
constitutional right
many areas

- Violation of Rights of
Crime Victim

- torture in
public place

- Discrimination &
Hate crime in

public place in violation of
anti-discrimination
accommodation. ^{public}

- abuse of weapon
to induce pain &
suffering with reckless
disregard of its potential
lethal effect in older
population (acute chest
pain syndrome, heart arrhythmia
due to severe distress,
heart attack), head trauma
concussion, and/or death.

- unwarranted violent arrest
followed refusal to refer to
deputy sheriff who filed crime
reports against Huntington & his
refusal to reach out to sheriff
and deliberate ermination of all
call initiated by the complainant to
the sheriff.

Faxed

(obstruction of justice)
to False incrimination &
fore closure

- Hate remarks
& gestures by
officer Walker
at the hospital

- Fraud when govt
crime report to fill
but refused
to sign
after
officer walk
said he
would sign

- Kidnapping &
harassment

- refusal to allow
the victim to contact
any attorney through
the entire process until incarceration

- refused to take
the victim to the ER
when he expressed
discomfort & refused to
let him to
to

- abuse of a potential lethal weapon & dispo-
sition the muscle & contracted
involuntary, they blamed the victim of
contracting on the weapon if it happened
as the victim has no collection
- false believe by officers that the complainant (victim)
was in their custody and he was not entitled to
contact anyone even when he committed any crime
and before they initiate their malicious prosecution down

Summary of Clarksville Police / Judge Kopp & Clarksville Mayor's Office
and chief of police / Judge Kopp & Clarksville Mayor's Office

6/14

- ① obstruction of justice, harassment, intimidation related to the victim went to Clarksville PD requesting a copy of crime report # _____ verified & filed under the guidance & direction of Lt/Deputy Chief Spider & officer ----- there is also potential crime of alteration of the crime report, destruction of evidence, & obstruction of justice by preventing the prosecution of criminal suspects clerk/judge Kopp, Sheriff Clerk Morano, DHHR Council Don. Colver, DHHR Director Terry Walker helped & aided by her husband chief of police of Bridgeport John Walker, Amy Latham esq aided & abetted by her husband John Latham, APA, Chase Bank & Huntington Bank. This resulted in unlawful garnish of \$100,000 that set the stage for unlawful foreclosure & loss of a commercial property that has potential lease of ^{at least} \$10,000/month.
- ② criminal conspiracy between officer John J. Walker & chief of police of Clarksville & chief of police of Bridgeport John Walker & Huntington Bank Agents, McPyle, et al.
 - Ⓐ obstruct justice in Bridgeport where the commercial buildings are located when chief Walker & Lt Guy Walker ~~1. stop~~ provided officers with false information that Joe Pyle Auction had legal right to put up auction signs on the properties 2. refused to enforce the law (affirmative action) of arrest and/or prosecution of Joe Pyle, Huntington Bank & the conspiring attorney even when he admitted Huntington for being at the properties, breaking in the building, breaking the locks & vandalizing the property were without legal standing (unlawful) 3. alteration of evidence when Sgt Carpenter discussed there were 4/23 pages only but Lt Walker had full knowledge about the amount of damages the victim presented in the papers that followed the 4 pages.
 - Ⓑ obstruction of justice in Clarksville as outlined in item ① above.
 - Ⓒ responding to 911 call of the victim/complainant with malicious intent to obstruct his ability to pay the amount Huntington Bank claimed even though it was fraudulent & coercing, humiliate the victim in public & belittle him as a show down of police brutality & against whistleblowers to make an example of out of the well known physician who has 3,000 patents. the quick call & response of channel 12 news disseminating false information that Huntington not victim called 911 is a clear example of malice - the same with Express Telegram news agent who attended the hearing in front of Judge Kopp & stated that his report will include both sides (Hate crimes by Huntington & Clarksville PD) against the victim.
 - Ⓓ clear evidence of Hate & malice that resulted in police brutality, torture, malicious prosecution, terror threat, life threat with abuse of a potential lethal weapon (taser(s)) frequent, very close, with firing the Arrow taser penetrating the cloth & the skin, resulted in ER visit with chest pain syndrome of unclear etiology, torn @ elbow, puncture wound in the chest, inflammation & chest pain syndrome flu, etc.

- (d) I officer Walker refused to allow the victim to walk anywhere considering him in his sole custody even before Huntington produced any paper claiming trespassing, clear prejudice against the victim.
- 2. ~~the~~ officer Walker & his SGT decided their unwarranted arrest based on their dislike of him as they admitted (Huntington Bank) and they maliciously charged him with trespassing & obstruction even after he ~~threw~~ agreed to leave under their threat of violence & putting on the gloves.
 - 3. When the victim tried to walk out they charged at him with violence telling him it was too late & would not let him walk out of the trap.
 - 4. This followed immediately with violent use of two types of tasers
 - officer Walker deliberately fired the taser at direct contact with the skin causing several black spots (skin burns) on both hands as shown in the pictures & ~~the~~ randomly at the rest of the body.
 - He even fired the Arrow & wire ~~taser~~ causing skin puncture of the chest & severe pain & suffering.
 - His reckless use of the taser in hate caused him to use it frequently, direct contact with the skin, close to the heart with penetrating wound ~~of the~~.
 - the degree of hate is represented clearly with the severity of the use of the taser that made it lethal weapon with potential death.
 - 5. Officer Walker refused to allow any other officers even those higher than him to carry on the primary investigation of such horrible unwarranted arrest associated with torture even after I requested from him & his Nigher ranked officers. Even in the presence of his Lt. who responded to my call for him, officer Walker locked me in the car alone with him & refused to open even the window to let me talk to the Lt. who had previous knowledge of the bank fraud and conspiracy to Fore close on the commercial builder. again stating that he was his custody & no one else. He literally refused to give up the jurisdiction to any other non biased party taking things in his own hands. It has been clear that officer Walker was aided & abetted by his chief of clarksburg police.

6. officer Walker attempted to drag the victim handcuffed 4 poles from Huntington Bank to the magistrate court in order to increase his humiliation & belittling in public. ~~Another~~ I objected and warned him of violating my privacy law as an individual & as a physician of my future charges of hate crimes. Another officer intervened & brought a police car to resolve the stand off with officer Walker.
7. However instead of protecting the privacy of the victim, He allowed the channel 12 news take picture of the victim as he is getting inside the car by giving her time & clearing the way for the picture. He acted in order to defame the victim even before being prosecuted.
8. At all times, officer Walker refused the victim to talk to his friend who had the cash for his bond & for paying the bank ^(checks) & for all the victim's needs of direct communication ~~when~~ in anticipation for incarceration, to deprive the victim from any communication outside the prison that doesn't accept collect calls & that include all cell phones as the victim discovered, which made him totally helpless in reaching out for help from an attorney, his friend, billing companies, etc. and coerced the victim to spend 4 days in prison ~~with~~ awaiting for the prison counselor to come on Monday. This coerced the victim to pay ~~to~~ out Huntington & stop the Fore closure that was set on Sunday the 16th at the court house. This aided & abetted Huntington et al in their Hate & greed crime.
9. Even after the victim secured a bail & even after the bail company posted the bond \$10,000.00 & even after judge Koff signed the bail form, officer Walker was seen communicating with Fadul ~~sons~~ to the female bond lady, this followed by officer Walker ~~was~~ pushing the victim to the jail claiming that the lady changed her mind.

- 10 when the victim question the legality of this flap flap by talking to Judge Kopp & asking him to allow him to talk to another company. Again, officer Walker was noted ~~not~~ saying NO to Judge Kopp who turned around and left without responding to the request of the victim. Yet officer Walker took it as NO and forced his way.

- 11 giving several unlawful ~~violations~~ acts by officer Walker & Judge Kopp in criminal conspiracy to false incarcerate the victim & cover up for the police brutality & torture & to coerce the victim away from ~~the~~ solving the foreclosure, etc., the victim requested to file a complaint by the sheriff of the court house to document the violations & his rights & officer Walker again refused, coerced the victim by pushing him outside the court in 4 point cuffed alone.

- 12 In the hospital UHC Officer Walker showed many signs of hate but the most obvious one when he criminally conspired with the EKG Tech Marshall to pull all sticky pads from the chest of a hardy man while he had chest pain, which caused again ~~the~~ physical pain (12 leads pulled at the same time) & emotional pain ~~of hate~~ ^{of cruelty} induced by an act of hate against a vulnerable minority patient who is 4 point cuffed. Incident report of the ACT was filed at United Hosp. center see exhibit page _____. Both guys were giving each other the ~~thump~~ ^{thump} up after their act of cruelty (Ref to UHC surveillance cameras 7/13/17).

request to secure UHC surveillance camera directed at the victim's room at the hallway & at his room

13. after discharge the victim experienced recurrence of chest pain that was associated with short of breath & dizziness. He informed officer Walker immediately according to the discharge instructions written & told by the discharge nurse in front of officer Walker. officer Walker acted as a physician refused to recognize the chest pain of the victim, refused to take the victim to the closest ER & refused to connect the victim with the dispatcher to obtain a relief from his dangerous situation being with a hate guy who recklessly could have killed him earlier.
14. officer Walker knowingly & willingly committed a fraud when he claimed he can't make a copy of the victim's complaint because there was no copy at the prison. However, when the victim informed the prison guards & obtained authorization to make copies the victim noted officer Walker dismissing the guard and telling him to give his regards to the victim, on his way out, officer Walker refused even to sign the complaint & he informed the victim to bring it in to the station in clarksburg after he was released.
15. officer Walker obstructed justice when he refused to include the victim's complaint with his allegations to Judge Kopp & resulted in false imprisonment. Had ~~just~~ a neutral judge seen the complaint of the victim, he would not add aabit the hate crimes committed by officer Walker et al.

crimes committed by Judge Kopp in conspiracy with others as outlined before & here after:

1. Judge Kopp committed Fraud & coerce when he deliberately gave the victim the "Magistrate Court criminal continuation sheet" intended to obtain the victim's ^{defendant} statement & WS signature and refused to take down WS statement, listen to the defendant, or obtain a copy of WS crime complaint that he already filled as directed by Clarksburg PD officers.
2. Judge Kopp defrauded the Affidavit Eligibility for appointed or public defender counsel when he knowingly & willingly chose No answers to the questions "do you plan to hire a private counsel?" "Have you tried to hire a private counsel?". ~~Refusing~~ in attempt to pick an attorney who would conspire with him to harm the victim & cover up for the police brutality & torture & cover up for WS previous Fraud, ^{alteration of records} when he was working as a clerk.
3. Judge Kopp should have declined the evaluation of the Probable cause from the beginning knowing that there has been a crime report of report filed against him by the victim/Defendant clarksburg PD crime No. _____ and knowing that the crime investigation is opened.
4. Judge Kopp deliberately decided to evaluate the officer Walker's complaint to retaliate against the victim/Defendant by making the Probable cause finding in make a note to silence the whistleblower & destroy him & his career before the victim/defendant bring WS cases to justice in different venue (a motion is pending), in front of the grand jury, or in front of federal court under civil RICO (ongoing).
5. Judge Kopp took the victim to a back room away from any surveillance camera or records. the place was dark. he was accompanied by officer Walker & another officer who has not been at the scene & had no idea of what happened, and a camera man who identified himself as

the Exponent Telegram reporter. Judge Kopp admitted that the hearing was not recorded, which introduced fear in the victim/defendant of more criminal conspiracies. The victim objected and requested the hearing to be audio-video recorded given the circumstances even if it was not the rule of criminal procedure.

6. Judge Kopp refused to record the hearing by any means.
7. The victim refused to sign anything and requested an attorney specifically Joseph Shaffer Esq who ~~was~~ was present at the court in a different hearing or any other attorney.
8. Judge Kopp refused to allow the victim access to any attorney.
9. The victim requested the sheriff officer to be present in this procedure.
10. Judge Kopp refused to allow the victim to talk to any sheriff officer from the court house or allow their presence.
11. The victim declared corruption, hate, police brutality, malice, even the Exponent Telegram reporter mentioned he would ^{prosecute} report in his article my statement of hate crime as the cause of the police et al act. The victim requested the presence of the FBI and again Judge Kopp refused to allow him the FBI presence to oversee the process.
12. Judge Kopp instead he ordered officer Walker to give the victim one telephone call only, which was very odd coercion & obstruction of justice.
13. Officer Walker convinced the victim that it was better for him to call a bail bond company get out of there do what the victim needed to do, which the victim did but officer Walker & Judge Kopp criminally conspired to ~~make~~ obstruct justice by absconding the bail after it was secured.
14. Judge Kopp altered justice when he allowed the release of the bond after it was posted & after he signed the form & presented to the victim. The reason given was, "she changed her mind". The lady ~~said~~ admitted the reason was, "she didn't like me". But the actual reason was officer Walker.
15. Judge Kopp altered the criminal record & destroyed the Criminal Bail Agreement Form & introduced a blank page.
16. Any unbiased integral judge would have found no probable cause for any of the allegations of officer Walker & would have accepted the criminal complaint of the victim & dismissed the allegation allowing justice to proceed.

abstract the
the victim's
it.

abstract the
the victim's
it.

abstract the
the victim's
it.

abstract the
the victim's
it.

abstract the
the victim's
it.

seque tee
consider surveillance
concerning to
magistrate court

16. Judge Kopp ordered real property to be used as security with justification of surety but provided no venue to the victim to do it.

- This is a new cycle in the chain of crimes the ^{successful} minority physician, his business of ~~his~~ Family have been facing since 2004 and right after the physician refused to criminally conspire with UHC administration (^{Cardy} Bruce Cardy ^{President} Jeff Bolgard Esq & Mark Borowick) & Vascular Surgeon Saad Mossallotti & some of his group (elite Islamists/muslim brotherhood/hate group) to subject all kidney failure patients to invasive bloody dialysis that would ~~max~~ ^{maximize} their profit at the expense of the lives of the patients. And after he blew the whistle \$100+ accounts of brutality by hosp. admin., physicians, nurses nurse aids against ~~many~~ ^{many} people of color, very old ~~age~~, terminally ill, etc. and after he got them caught altering the permanent records of the patients & sued them in Marion County circuit court (Ref to the entire case, which is public records) and obtained repeatedly from the clerk of the ~~the~~ circuit court of Marion County without an order from any judge (Copy is attached along with the settlement agreement the physician was coerced to sign under ~~threats~~ life threats & threats of kidnapping. This was followed by criminal conspiracy of stealing the medical records by Saad Mossallotti + Abdolla Geura + Dr. Alghadban + Janet John Walker when they terrified the wife & the workers & moved them to shut down the business & took from them the medical records of the dialysis & the kidney ~~at~~ patients. This followed by cascade of malicious prosecution, criminal conspiracy, Fraud, perjury that coerced the kidnapping of the children from the father (physician since 05/02/2005)

Sentences

- Case 1:18-cv-00125-TEJ Document 1 Filed 05/31/18 Page 15 of 19 PageID #: 15
- the horrible pain & suffering of hate crime & discrimination by ~~concept~~ ¹³⁷ ~~it~~ is still less than those a conscious person would experience seeing brutalities against elderly, disabled, veteran, children & other vulnerable women & men or police brutality of a parent in front of a child.
 - Hate is a mental illness that allows a person regardless of his/her sexuality, color, race, religion, etc., to commit a crime either a primitive one of physical assault or complex one of white collar against another person or a group of people to take advantage of them and to increase their power/wealth & to amuse themselves of false victims or a pseudo-class (elite class). Greed is always tied to hate.
 - our duties as professionals are to expose evil & stop any form of crimes against the public. either it is physical crime or white collar crime.
 - Fostering any form of crimes breed new generations that lack consciences & sensitivity to crime & result in assimilation of the crime within the community to become endemic social illness that destroys the human resources of the community and the economy.
 - Fostering white collar crimes promotes social class system of elite, rich, powerful, above the law class vs. poor desperate struggling suffering class of victims.
 - considering ordinary people earth resources like vegetables or like disposable items are the true form of hate crimes that kills thousands of people everyday in silence.
 - it will be beautiful to uphold law & order & justice in this case and in all other cases & bring peace, harmony, love, and prosperity to our communities.
 - whereby:
the victim requests full prosecution of all the perpetrators & full restitution of all damages & any other relief ordered by the grand jury.
- 138

- Hate is a mental illness that allows a person regardless of his/her sexuality, color, race, religion, etc., to commit a crime ~~and~~ either a murder or of physical assault or complex one of white collar against another person or a group of people to take advantage of them and to increase their power/wealth & to amuse themselves of false victims. or a pseudo-class (elite class). Hate is always part tied to hate.

- our duties as professionals are to expose evil & stop any form of crimes against the public. either it is physical crime or white collar crime.

- Fostering any form of crimes breed new generations that lack consciences & sensitivity to crime & result in absorption of the crime within the community to become endemic social illness that destroys the human resources of the community and the economy.

- Fostering white collar crimes promotes social class system of elite, rich, powerful, above the law class vs. poor desperate struggling suffering class of victims.

- Considering ordinary people earth resources like vegetables or like disposable items are the true form of hate crimes that kills thousands of people everyday in silence.

- it will be beautiful to uphold law & order & justice in this case and in all other cases & bring peace, harmony, love, and prosperity to our communities
- whereby:

- whereby:

The victim requests full prosecution of all the perpetrators & full restitution of all damages & any other relief ordered by the Grand Jury.

IN THE MAGISTRATE COURT OF HARRISON COUNTY, WEST VIRGINIA

NOTICE TO APPEAR

To: Nabil Gaballa Guirguis
1635 Fairmont Avenue
Fairmont, WV 26554

*told Dr. Guirguis
in Person at
Date & Time 8-29-17*

Dated: 06-AUG-2017

Re: Case No. 17-M17M-01956 - State v. Nabil Gaballa Guirguis
Defendant: Nabil Gaballa Guirguis
LEO/Plaintiff: Ethan J Walker

Charge(s):

on or about 07/13/2017, 1 count(s) 61-02-10b(c): Unlawful assault of a government representative, healthcare worker or emergency service personnel
on or about 07/13/2017, 1 count(s) 61-06-01b(a): Disorderly conduct; penalty
on or about 07/13/2017, 2 count(s) 61-05-17(a): Obstructing officer; penalties; definitions
on or about 07/13/2017, 1 count(s) 61-03B-02: Trespass in structure or conveyance
on or about 07/13/2017, 1 count(s) 15-02-24(h): (h) All persons arrested or detained pursuant to the requirements of this article shall give fingerp .

You are hereby notified that a hearing in the above-styled case will be held on 10/11/2017, at 01:30 PM, before Magistrate Frank A. DeMarco at the HARRISON County Magistrate Court, whose address is:

Harrison County Magistrate Court
306 Washington Ave.
Clarksburg, WV 26301
(304)624-8645

Pre- Trial Hearing

ADDITIONAL NOTICE TO ALL PARTIES: If any party wishes to request (1) transfer to another magistrate, (2) a continuance (delay), (3) removal of a civil case to circuit court, or (4) any other motion which, if granted, would require rescheduling of the hearing or trial, the party or the party's attorney must do so in writing not less than 10 days before the first date scheduled for such hearing or trial, unless good cause or excusable neglect is shown as to why such request was not made within that time.

The procedures governing motions to transfer to another magistrate are set forth in Rule 1B of the administrative Rules for Magistrate Courts.

FORMS FOR SUCH MOTIONS OR REQUESTS ARE AVAILABLE FROM THE MAGISTRATE COURT.

IN THE MAGISTRATE COURT OF HARRISON COUNTY, WEST VIRGINIA

☐ Out-of-County Warrant:

State of West Virginia

Case No.: 17-M17M-01956

NABIL GABALLA GUIRGUIS

Defendant (Full Name)

XXX-XX-8996

Social Security Number

05/16/1963

Date of Birth

1635 FAIRMONT AVE.

Address

WV F348509

Driver's License / Identification Number

FAIRMONT, WV 26554

City, State, & Zip Code

304-629-6614

Phone Number(s)

CRIMINAL BAIL AGREEMENT: CASH OR RECOGNIZANCE

WV Code: Cash Bond [§ 62-1C-12], P.R. [§ 62-1C-1a and 4], 10% Cash Bond [Trial Ct. Rule 31.01], Surety Company [§ 62-1C-4]

A. AMOUNT OF BAIL: The defendant having been charged with the ☒ Misdemeanor ☐ Felony Offense of
1). TRESPASSING 2). DISORDERLY CONDUCT 3). OBSTRUCTING 4). RESISTING
5). BATTERY ON A POLICE OFFICER 6). REFUSE TO PROVIDE FINGERPRINTS

and having a right to bail, this Court hereby sets bail for the defendant as follows: \$3,000.00

☒ Cash ☒ Recognizance: (☐ Personal ☒ 10% Cash Bond and 90%

☒ Property (Real Estate) ☒ Surety Company/Bail Bondsman).

If real property is used as security, a justification of surety ☒ IS or ☐ IS NOT required.

B. TERMS AND CONDITIONS FOR RELEASE ON BAIL

If admitted to bail, the defendant understands and agrees

1. to be present in person in the Magistrate Court of Harrison County on the _____ day of _____, 20____, at _____ ☐ a.m. / ☐ p.m.,

☒ or to be set as specified in a Notice of Hearing that will be mailed to the above address;

2. to be present in person at any other proceeding(s) concerning the above charge(s) and to obey any notice, process, or order issued by this Court, or the Circuit Court, until either Court has disposed of all matters with respect to the bail granted;

3. to appear and begin serving jail or prison time as ordered by the disposing Court if that Court renders a judgment of guilt on the offense(s) charged and imposes a penalty of incarceration;

4. to inform the Court immediately of any change of name, address, or telephone number;

5. ☐ may ☒ may not leave the State of West Virginia without written approval by this Court;

6. not to violate any state or federal laws;

7. to have no direct or indirect physical or verbal contact with _____ in this matter; alleged victim(s)

8. to comply with the following additional condition(s) of this bail: DEFENDANT IS NOT TO INTO ANY HUNTINGTON BANK

9. ALLOWED TO LEAVE THE STATE BUT MUST RETURN FOR ALL HEARING NEXT HEARING 10-11-17 @ 1:30 PM

The defendant also understands and agrees that, if he or she is admitted to bail and does not fulfill the terms and conditions above, the full bail amount is subject to forfeiture and may be increased; that other penalties for violation of such terms and conditions may be imposed; and that, if the defendant fulfills the terms above, the surety will be released and the cash deposit returned, if appropriate, or the recognizance satisfied.

07/19/2017

Date

Defendant's Signature

07/19/2017

Date

Magistrate's Signature

MCRCRBA Rev. 04/2013 (previously SCA-M105) Criminal Bail Agreement: Cash or Recognizance

WVSCA Approved: 04/18/2013: Docket Code(s): MBOND / MBONI

Page 1 of 2

IN THE MAGISTRATE COURT OF HARRISON COUNTY, WEST VIRGINIA

☐ Out-of-County Warrant:

State of West Virginia

Case No.: 17-M17M-01956

NABIL GABALLA GUIRGUIS

Defendant (Full Name)

XXX-XX-8996

05/16/1963

Social Security Number Date of Birth

1635 FAIRMONT AVE.

WV F348509

Address

Driver's License / Identification Number

FAIRMONT, WV 26554

304-629-6614

City, State, & Zip Code

Phone Number(s)

CRIMINAL BAIL AGREEMENT: CASH OR RECOGNIZANCE

WV Code: Cash Bond [§ 62-1C-12], P.R. [§ 62-1C-1a and 4], 10% Cash Bond [Trial Ct. Rule 31.01], Surety Company [§ 62-1C-4]

A. **AMOUNT OF BAIL:** The defendant having been charged with the ☒ Misdemeanor ☐ Felony Offense of
 1). TRESPASSING 2). DISORDERLY CONDUCT 3). OBSTRUCTING 4). RESISTING
 5). BATTERY ON A POLICE OFFICER 6). REFUSE TO PROVIDE FINGERPRINTS

and having a right to bail, this Court hereby sets bail for the defendant as follows: \$3,000.00

☒ Cash ☒ Recognizance: (☐ Personal ☒ 10% Cash Bond and 90%

☒ Property (Real Estate) ☒ Surety Company/Bail Bondsman).

If real property is used as security, a justification of surety ☒ IS or ☐ IS NOT required.

B. TERMS AND CONDITIONS FOR RELEASE ON BAIL

If admitted to bail, the defendant understands and agrees

1. to be present in person in the Magistrate Court of Harrison County on the _____ day of _____, 20____, at _____ ☐ a.m. / ☐ p.m.,
☒ or to be set as specified in a Notice of Hearing that will be mailed to the above address;
2. to be present in person at any other proceeding(s) concerning the above charge(s) and to obey any notice, process, or order issued by this Court, or the Circuit Court, until either Court has disposed of all matters with respect to the bail granted;
3. to appear and begin serving jail or prison time as ordered by the disposing Court if that Court renders a judgment of guilt on the offense(s) charged and imposes a penalty of incarceration;
4. to inform the Court immediately of any change of name, address, or telephone number;
5. ☐ may ☒ may not leave the State of West Virginia without written approval by this Court;
6. not to violate any state or federal laws;
7. to have no direct or indirect physical or verbal contact with _____ in this matter;
 _____ alleged victim(s) ^{Go}
8. to comply with the following additional condition(s) of this bail: DEFENDANT IS NOT TO INTO ANY HUNTINGTON BANK

9. ALLOWED TO LEAVE THE STATE BUT MUST RETURN FOR ALL HEARING NEXT HEARING 10-11-17@1:30 PM

The defendant also understands and agrees that, if he or she is admitted to bail and does not fulfill the terms and conditions above, the full bail amount is subject to forfeiture and may be increased; that other penalties for violation of such terms and conditions may be imposed; and that, if the defendant fulfills the terms above, the surety will be released and the cash deposit returned, if appropriate, or the recognizance satisfied.

07/19/2017

Date

Defendant's Signature

07/19/2017

Date

Magistrate's Signature

MCRCRBA Rev. 04/2013 (previously SCA-M105) Criminal Bail Agreement: Cash or Recognizance

WVSCA Approved: 04/18/2013; Docket Code(s): MBOND / MBONI

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

Health Care Justice Foundation
US Coalition For Families & Children
Nabil G. Guirguis, MD

Plaintiff,

v.

Huntington Bank
Frank DeMarco
Brad Pustolski
Does 4-75

Civil Action No.: _____

Defendant(s)

Certificate of Service

I, (your name here), appearing pro se, hereby certify that I have served the foregoing (title of document being sent) upon the defendant(s) by depositing true copies of the same in the United States mail, postage prepaid, upon the following counsel of record for the defendant(s) on (insert date here):

(List name and address of counsel for defendant(s))

Nabil G. Guirguis
(sign your name)